G. R. S. 58]

Previous references.

File No. 8 of 1864

191

(Sep. Rev.)

Serial Nos. 1 – 8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for November 1867

SUBJECT.

Exclusive right of the ryots for the date tree standing on their lands.

Indexed

W D 1351—GPB—20,000—13-12-13

1864

Major W. C. Anderson
Depty Rev: Com: Mysore
The Secretary to the Commissr
of Mysore

Harryhur 8 April 1863

Sheet

Do

ures No.

No 93

Subject

Requesting date trees
to be supplied land
Inspection exclusion
Cost Estimate

13 Feb 65

Submitted for early opinion. In the case of
Bagur, it is the existing custom.
I believe, for the Contractors to apply
authority to enter cultivated lands
without the permission of the Ryots.

B 13/4/65

No 93 of 1865.

From

Major W. C. Anderson

Superintendent Revenue Survey Mysore

To

The Secretary to the Commissioner

of Mysore

Superintendents Office

Nurryhur 8th April 1865

S. R.
8-64
1

Sir.

According to the ordinary terms of our settlement the Ryot has full power to cut all trees standing on his own land. excepting those on the Boundaries which are reserved as Boundary Marks and on valuable timber or other trees such as teak or Sandal wood regarding which a Special reservation may be made.

2. Among other descriptions of trees the Cultivator obtains the exclusive property in all date trees growing on his own land, he may cut them down or may for a Consideration allow the Toddy Contractor to tap them, but without the permission of the Ryot the Toddy Contractor has no power to tap any trees but those standing in Government waste land.

If the above rule is to be extended to Mysore & Canara Should be inserted in the Toddy Contractor's agreement Specifying that his right extends only over date trees on Government unoccupied waste land and that he has no right to tap trees standing on occupied land without obtaining the permission of the occupant.

I have the honor to be
Sir,
Your most Obedient Servant

Superintendent Rev: Survey Mysore

Revenue circular No 5398
37.

20 1865.

~~From~~

To The Superintendents Divisions

Dated Bangalore 19th April.

Despatched — 22d.

Received

Enclosures Nos

General No 5398 (+5400)

Revenue No 37 } 1864—65.

with enquiries existing practice

Rewards for early opinion

Copy of a letter No 93 dated

8th Instant, from Major W. C.

Superintendent Cauvery

Irrigation, regarding the right

of growing Date trees on Government land

occupied by ~~Ryots~~ cultivators

~~right to property on them~~

Ag Cir

19/4/65

No 2604-21-4-65.

S. R.

No 8-64

No 2

Revenue 1864/65 No. 134

From Superintendent Tuticorin

To Secretary to the Commissioner

Dated 25 April 1865

Despatched 26 "

Received 27 "

Enclosures No.

General No. 4272

Rev No. 184

Subject.

Sir,

Your No. 525 of 21 Instant

With reference to the enclosure of the above Notes that Ryots have no pecuniary rights to Toddy Trees.

I am

Sir

Your Obedt Servt

[illegible]

Seen

B 27/4/65

Nundidroog Division

General 4.273
Revenue 134

Section Superintendents Office
File No 64
Serial No 3

Devarayadroog 25 April 1865.

To

The Secretary to the Commissioners
for the Government of the Territories
of H. H. the Rajah of Mysore

Sir,

I have the honor to acknowledge
Your Docket No 5398 Rev. 37 Dated the 21st
Instant with enclosure and to state
that Ryots have no proprietary right
in Toddy Trees and are prohibited
from cutting down any fruitful
trees except with the permission
of the Revenue Authorities which
must be applied for before the
Toddy Contracts for the year are
settled, the Tenderers for the Con-
tract being duly informed of the
same.

2 To grant the Ryots the right
of renting or tapping the Toddy Tree
growing on their land would be
subversive of the existing Abkary
System and would in a few years
seriously affect the Government Re-
venue. The right to cut down

Saddy Trees growing on these Lands
must I conceive be granted ab-
solutely in a permanent Settle-
ment but care must be taken to
mark Date Groves as Government
property not to be rented for
cultivation except under the
direct orders of the Deputy Super-
intendent who, if he sees occasion
to sanction the same in any instance
ought, I think, to report the circumstance
to the Superintendent of Division
explaining his reasons for so doing.

I have the honor to be
Sir
Your most Obed.t Servant

A. Davis
Superintendent

Rev. 1865. No. 150

From Superintendent.

To The Secretary to the Commissioner a.d.c.

Dated 2 Apl.

Despatched 1 April

Received 1 May

Rev. 1 May

Enclosures No.

Genl. No. 6/2 2 Apl/65

Rev. 150

Subject

Section Sept. R

File No 8 — 64

Serial No 4

As requested in Circ. Docket No. 5-398/37 I have the honor to enclose herewith, copy of opinion relative to the right possessed by Kyoto Tozer Bank to issue bonds.

Comm. 1 May 65

Sec. B 1/5/65

General No. 672 / Rec'd 1/May/65
Rec'd 1503

Shimoga Superintendent's Office.

To,

The Secretary to the Commissioner for the
Government of the Territories of H.H.
the Maha Rajah of Mysore.
Bangalore.

Dated Mysore 29th April 1865.

Sir,

With reference to your ur- docket No. 5398/837 dated the 21st instant, requiring the expression of an opinion relative to the right possessed by Ryots over the trees in their Condayem lands, I have the honor to state for the information of the Commissioner that the practice prevalent in this Division, differs materially from that indicated in Major Anderson's letter therein referred to.

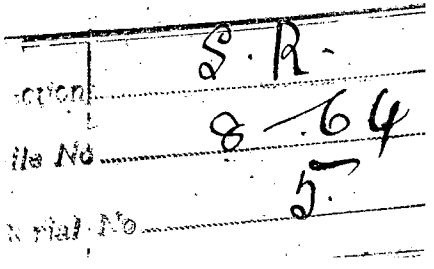
2. Except in regard to proprietory lands, by which I mean, Inam, Sodee, and Kayem Goota, date trees are generally looked upon as the property of Government wherever they are situated; the Toddy Contractors therefore take charge of and tap the trees without having any consideration whatever to the Ryot. The existence of date trees in Condayem holdings, however is very rare.

2. Besides date trees, the several kinds of timber as Teak, Sandal &c, reserved by the Government under forest rules; and fruit trees, as Tamarind, Jack &c, yielding revenue under the head "Amarai which are reserved by Government until they decay when the Ryot may appropriate them;- all other trees growing within the limits of the Ryot's holding are regarded as his own bonâ fidé property.

I have the honor to be,
Sir,
Your most obedt. Servant

A.J. Superintendent.
Salem Division.

Copied
L.H.



No. 88

1864. 5

From The Colonial Secretary

Request on

To the Agency to the Cookeries.

Dated 26 April.

Despatched 27

Received 29 May

Regd

Enclosures No.

Encl No 473

Answd 6.

Subject

Referred to Col. letter

in Corresp. of the

22d Sept. on the

Subject of date

Cross

Answd

1 May 65

Forward an abstract of the Tuft Ry

applies to Magistrate Anderson, and observe

that it is doubtful how whether

it would be advisable to alter the

existing system in regard to the

rights being vested in the Tuft

as any order must be of a

general nature & it would appear

premature to issue such.

General No. 473 / Rev " 76

Mysore Division, Superintendt Office
Camp Cullutty 26th April 1865

To
The Acting Secretary to the Commissioner
for the Government of the Territories
of His Highness the Maha Rajah of
Mysore

Sir,

In reply to your docket letter No.
5398 / Rev. 37 dated the 22nd Instant, forwarding
for report copy of Major Anderson's
letter on the subject of date trees, I
have the honor to state, for the Com-
missioners information, that I see
no objection to land-holders being
allowed the right to remove the trees on their
property - But it would, in my
opinion, be manifestly objectionable
to allow them to enter into agreements
with Toddy contractors for the
extraction of Toddy from them - As
long as we keep up the Excise duty
in that liquor, such a concession
would be injurious to the interests
of Government, and of questionable
benefit to the Ryots

I

I have the honor to be
Sir
Your most Obedient Servant

T Beccle
Offg Superintendent

Lt Gov

Gen. Lr. No. 40
Rev. 1865/66.

M. C. O.
Bangalore 4th May 1865.

To

The Superintendent of
Revenue Survey.

Sir

S. R. 8/64
8
6.

B. 3/5/65

Your letter No. 93 dated the 8th ultimo having been communicated to the Supt of Divisions for their opinion with reference to existing practice regarding the exercise of right to Toddy trees grown on land occupied by Ryots, I have the honor by desire of the Commissr to convey to you an abstract of their reports. ~~to the reference~~.

2. The Supts of Bangalore & Kolar report that the Ryots of their Division have no proprietary right to Toddy trees, and are prohibited from cutting which are still in bearing any ~~trees~~ except with the permission of the Revenue Authorities; and deprecate the grant to them of renting the right or tapping Toddy trees grown on their lands, as encouraging a

subversive of the existing Abkhary System.

3. ~~From the report submitted by~~ The Supt. of Cultivation remarks in ~~his Report~~ that the trees in question are generally looked upon as the property of Govt. wherever they are situated, except in regard to ~~Crown Lands~~ Waste Lands &c. Indian and Mysore

4 The Supt. of Cinchona & Tea states that he sees no ~~serious~~ objection to Land holders being allowed their right to remove the trees from their property, but considers it objectionable to allow them to enter into agreements with Contractors for the extraction of Cinchona from them, so long as the Forest Property is in Govt. hands. In United Provinces

5. I am directed to observe that in the opinion of the Commissioner it is doubtful ~~in the Case~~ whether it would be advisable to alter the existing system in regard to the rights long vested in the Govt., as any orders must be of a general nature and it would appear premature to

2-4.

No 22

1867.

From The Survey and Settlement Commr
of Inquiry
To Bombay

Dated 13th November
Despatched
Received 18th Do.

Enclosures No.

General No 1133 of 1867

No

S.R.
8/64
7

Actg
File
Seria

With reference to Rule 40 of the 4th Grey 65, states that a notification may be issued to the effect that occupants of land in the settled Talookas are free to cut down dhak trees standing on their own land and that the notice may take effect from the commencement of next year.

Concur 23 Nov 67

Orders to issue as suggested

B 23/11/67.

No 30 30/11/7

No. 801 of 1867

From.

Lieut. Colonel W. B. Anderson

Survey and Settlement Commissioner

To

The Secretary to the Commissioner

of Mysore

Survey Commissioner's Office

Bombay 13th November 1867.

With reference to your letter General No. 40 of the 4th May 1865 I beg that if there is no objection a notification may be issued in the settled Talooka stating that occupants of land are free to cut down date trees standing on their own land and that the Contractor has no right over trees on occupied land. If there is any difficulty regarding the year now current the notice might

take

take effect from the Commencement of next year.

I have the honor to be

Sir

your most obedient Servant

Survey and Settlement Commissioners

Mysore

Bylaw, 1874

General No. 893 } 1867/68.
Rev. No. 107

Mysore Commrs. Office
Bangalore 28th Novr. 1867.

To
The Asst.
Jagirdars

S. R.
64

Sir

I am directed by the Commr. Mysore to forward herewith a letter No. 801 dt. 13th inst. from Lt. Col. Anderson, and to request you to issue in the settled Districts the requisite notification regarding ~~the~~ the succession right of ryots & the date from which ~~it~~ it is to commence in their cases.

The notification should issue from the beginning of the new year if the Taluq cases have been disposed.

Dft. herein

D 27/11/67

Copy. with enclo. by DS

Rec'd 1867. No. 4893
107

To
The Offg. Superintt.
Sugar Division

Dated 28th
Despd. —
Rcvd.

Genl. No. 4893
R. No. 107

Encls. One

Forwards Copy of a letter from Lieut. Colt. Anderson and requests to be issued in the settled Talooks a Notification regarding the exclusive right of Ryots to the date trees growing on their lands.

Noted
3/12/67